

201-15561



CHLOROBENZENE PRODUCERS ASSOCIATION

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August 30, 2004

Michael O. Leavitt, Administrator
U.S. Environmental Protection Agency
P.O. Box 1473
Merrifield, VA 22116

Attention: Chemical Right-to-Know Program;
HPV Challenge Program

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HPV Status of 1,2,4,5-Tetrachlorobenzene (CAS No. 95-94-3)

Dear Administrator Leavitt,

Thank you for your letter dated July 22, 2004, advising the Chlorobenzene Producers Association that 1,2,3,4-tetrachlorobenzene (CAS No. 634-66-2) **does** meet the no longer HPV criteria, while 1,2,4,5-tetrachlorobenzene (CAS No. 95-94-3) **does not** meet the no longer HPV criteria. The EPA guidance for determining that a chemical be verified as no longer HPV dictates that "all manufacturers and importers that reported to the 1990 TSCA Inventory Update Rule (IUR) must provide support for the claim that the chemical is no longer HPV and is not likely to become HPV again. In addition, all manufacturers and importers of the chemical that reported to the 1994 and 1998 IUR that did not report to the 1990 IUR must verify the chemical is no longer HPV and is not likely to become HPV again." (<http://www.epa.gov/opptintr/chemrtk/nolohpv8.htm>, August 26, 2004)

A search of the *EPA HPV Chemical List* (<http://www.epa.gov/opptintr/chemrtk/compsrch.htm>, August 26, 2004) reveals that the **only** company reporting production of 1,2,4,5-tetrachlorobenzene in 1990, 1994, and 1998 was Standard Chlorine of Delaware, Inc., i.e. none of the other manufacturers of chlorinated benzenes reported production of this chemical to the IUR. Standard Chlorine of Delaware, Inc. was subsequently purchased by Metachem Products, LLC. As the EPA is well aware, Metachem Products, LLC abruptly declared bankruptcy and closed in May, 2002. This development is reflected in the EPA IUR database, as no production of 1,2,4,5-tetrachlorobenzene was reported in 2002. (<http://www.epa.gov/oppt/iur/iur02/search03.htm>, August 26, 2004) At that time, the EPA and the State of Delaware Department of Natural Resources and Environmental Control (DNREC) assumed control of the site, and have since been working to stabilize the facility and minimize the potential for a release of hazardous substances.

Although the CPA agrees that 1,2,4,5-tetrachlorobenzene does not match the precise criteria for achieving no longer HPV status, certainly the unusual circumstances surrounding this chemical and bankruptcy and closure of the only former producer merits

a change in status. Please feel free to contact Jack Murray at (301) 651-5051 or murrayj@att.net should there be any questions regarding this submission.

Sincerely,

Jack Murray, CPA Executive Director
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Cc: CPA Members